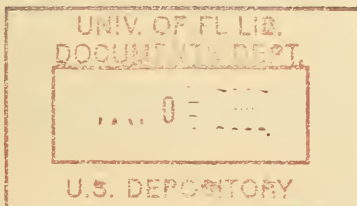


NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION
FOR THE
CONSTRUCTION MACHINERY
DISTRIBUTING TRADE

AS APPROVED ON APRIL 20, 1935



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Approved Code No. 223—Amendment No. 2

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

CONSTRUCTION MACHINERY DISTRIBUTING
TRADE

As Approved on April 20, 1935

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE CON-
STRUCTION MACHINERY DISTRIBUTING TRADE

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to the Code of Fair Competition for the Construction Machinery Distributing Trade, and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order Number 6859, dated September 27, 1934, and otherwise, does hereby incorporate by reference, said annexed report and does find that said amendment and that Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended, such approval and such amendment to take effect twenty (20) days from the date hereof, unless good cause to the contrary is shown to the National Industrial Recovery Board before that time and a subsequent order to that effect is issued.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN, *Administrative Officer*.

Approval recommended:

HARRY C. CARR,
Acting Division Administrator.

WASHINGTON, D. C.,
April 20, 1935.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on an amendment to the Code of Fair Competition for the Construction Machinery Distributing Trade. This amendment was proposed in accordance with Article X, Section 2 of the Code, approved January 23, 1934.

This amendment to the Child Labor Provisions of the Construction Machinery Distributing Trade is the standard clause on hazardous occupations and is in accordance with the accepted policy of the National Recovery Administration. It provides that the Code Authority shall submit to the National Industrial Recovery Board a list of such operations or occupations within thirty days after the approval of this amendment.

FINDINGS

The Deputy Administrator in his final report to the National Industrial Recovery Board on said amendment to said Code having found as herein set forth and on the basis of all the proceedings in this matter:

It finds that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provision of said title of said act, including without limitation subsection (a) of section 3, subsection (a) of section 7 and subsection (b) of section 10 thereof.

(c) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(d) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(e) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, this amendment has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

APRIL 20, 1935.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE CONSTRUCTION MACHINERY DISTRIBUTING TRADE

Amend Article V, Section 1, to read as follows:

"No person under sixteen (16) years of age shall be employed in the Trade, nor anyone under eighteen (18) years of age at operations or occupations hazardous in nature or detrimental to health. The Code Authority shall submit to the National Industrial Recovery Board for approval within thirty (30) days after the approval of this Amendment a list of such hazardous operations or occupations. In any State an employer shall be deemed to have complied with this provision as to age if he shall have on file a certificate or permit duly issued by the Authority in such State empowered to issue employment or age certificates or permits showing that the employe is of the required age."

Approved Code No. 223—Amendment No. 2.
Registry No. 1399-17.

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